

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

IN RE: PRADAXA (DABIGATRAN  
ETEXILATE) PRODUCTS  
LIABILITY LITIGATION

) 3:12-MD-02385-DRH-SCW  
)  
) MDL NO. 2385  
)  
) CHIEF JUDGE DAVID R.  
HERNDON

**THIS DOCUMENT RELATES TO:**

DONALD HELLBAUM,  
  
PLAINTIFF,

CASE NO. 3:13-CV-50414-DRH-  
SCW

VS.

BOEHRINGER INGELHEIM  
PHARMACEUTICALS, INC. AND  
BOEHRINGER INGELHEIM  
INTERNATIONAL GMBH,

DEFENDANTS.

**ORDER GRANTING DISMISSAL WITHOUT PREJUDICE**

**HERNDON, Chief Judge:**

This matter is before the Court on the defendants' (Boehringer Ingelheim Pharmaceuticals Inc. and Boehringer Ingelheim International GmbH) motion, pursuant to Federal Rule of Civil Procedure 41(b), for an order dismissing the above captioned plaintiff's claims without prejudice for failure to file an appearance as required by this Court's Order and Local Rule 83.1(g)(2).

The Court granted a motion to withdraw, filed by plaintiff's counsel, on September 26, 2013. The Court's Order provided that "if plaintiffs or plaintiffs' new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, plaintiff's action will be subject to dismissal without

prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the orders of this Court” (Doc. 7). To date, and in violation of the Order and Local Rule 83.1(g), plaintiff has not filed a supplementary appearance. In addition, the plaintiff has not responded to the instant motion to dismiss.

Further, plaintiff has prejudiced BIPI and BII by failing to provide Plaintiff Fact Sheet (“PFS”) information. Plaintiff’s PFS information was due on October 25, 2013. To date, and in violation of CMO 15, as amended, the plaintiff has not served a fact sheet.

The plaintiff must comply with the Local Rules and this Court’s orders. Fed. R. Civ. P. 41(b). Accordingly, for the reasons stated herein, the claims of the plaintiff are hereby dismissed without prejudice.

**SO ORDERED:**

 Digitally signed by  
David R. Herndon  
Date: 2014.06.25  
09:20:40 -05'00'

**Chief Judge  
United States District Court**

**Date: June 25, 2014**